

Message Text

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PAGE 01 USUN N 05377 280012Z

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ACTION SS-25

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FM USMISSION USUN NEW YORK

TO SECSTATE WASHDC 3314

INFO AMEMBASSY SEOUL

C O N F I D E N T I A L USUN 5377

EXDIS

E.O. 11652: XGDS-1

TAGS: UN, KS, KN

SUBJECT: KOREA AT 30TH GA; PROCEDURE

REF: USUN 5329, NOT RPT SEOUL

1. MISOFF SAW THE UN LEGAL COUNSEL 27 OCTOBER TO GIVE HIM THE MEMORANDUM SENT REFTEL, EXPLAINING THAT IT HAS BEEN PREPARED FOR THE ASSISTANCE OF OUR DELEGATION AND THAT COMMENTS AND CRITICISM WOULD BE MOST HELPFUL. SUY ASSURED HE WOULD STUDY THE MEMORANDUM AND THEN REVIEWED THE MAIN PROCEDURAL ISSUES, NOTING IN PARTICULAR THAT THE REVISED FRIENDLY RESOLUTION IS "OF COURSE" A REVISION OF THE ORIGINAL AND NOT A "NEW" PROPOSAL, WITH THE CONSEQUENCE THAT IT IS RIGHTLY DOCUMENTED AS A REVISION AND HAS PRIORITY UNLESS COMMITTEE I WERE TO DECIDE OTHERWISE. HE VOLUNTEERED, AND MISOFF CONFIRMED, THAT THE PROCEDURAL SITUATION IN THE COMMITTEE IS QUITE PARALLEL TO THAT OF LAST YEAR.

2. SUY THEN ASKED WHETHER WE HAD GIVEN CONSIDERATION TO THE POSSIBILITY THAT A 2/3 VOTE WOULD BE REQUIRED IN PLENARY TO ADOPT EITHER THE FRIENDLY RESOLUTION ON THE HOSTILE RESOLUTION. HE SAID THAT BOTH WOULD HAVE TO BE REGARDED IN THE SAME LIGHT IN TERMS OF THE PROCEDURAL REQUIREMENTS OF THE CHARTER. HE BELIEVED THAT SINCE EACH SEEKS TO DEAL AUTHORITATIVELY WITH THE ARMISTICE AGREEMENT, EACH CONCERNS "RECOMMENDATIONS WITH RESPECT TO THE MAINTENANCE OF INTERNATIONAL PEACE AND SECURITY" AND, ACCORDINGLY, REQUIRES A 2/3 VOTE UNDER ARTICLE 18, PARA2, CONFIDENTIAL

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OF THE CHARTER. MISOFF ASKED WHETHER SUY ESTIMATED A MAJORITY

IN PLENARY MIGHT BE FOUND TO SUPPORT (A) A POINT OF ORDER FROM THE
FLOOR ASKING THAT 2/3 BE REQUIRED OR (B) A RULING BY THE
PRESIDENT. SUY SUPPOSED THE 2/3 REQUIREMENT WOULD BE USEFUL
ONLY IN THE VENT THE PRESENT SO RULED. HE SAID HE WOULD
CONSIDER ADVISING THORN THAT THE PRESIDENT MAKE SUCH A RULING WERE
HE TO BE ASKED BY THORN. MISOFF REFRAINED FROM COMMENTING
FURTHER PENDING THE RESULTS OF VOTING IN COMMITTEE I.
MOYNIHAN

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